

1 Jayne W. Williams, Esq. (SBN:63203)
jwilliams@meyersnave.com
2 Deborah J. Fox, Esq. (SBN: 110929)
dfox@meyersnave.com
3 Philip A. Seymour (SBN: 116606)
pseymour@meyersnave.com
4 Kimberly M. Drake, Esq. (SBN: 209090)
kdrake@meyersnave.com
5 MEYERS, NAVE, RIBACK, SILVER & WILSON
555 12th Street, Suite 1500
6 Oakland, California 94607
Telephone: (510) 808-2000
7 Facsimile: (510) 444-1108

8 Attorneys for Defendant
9 CITY OF SAN LEANDRO

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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

13 INTERNATIONAL CHURCH OF THE
14 FOURSQUARE GOSPEL,

15 Plaintiff,

16 v.

17 CITY OF SAN LEANDRO, a municipal
18 corporation,

19 Defendant.
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21 FAITH FELLOWSHIP FOURSQUARE
22 CHURCH,

23 Real Party in Interest.
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Case No. C07-03605-PJH

DECLARATION OF LLOYD B.
ZOLA IN SUPPORT OF
DEFENDANT CITY OF SAN
LEANDRO'S MOTION FOR
SUMMARY JUDGMENT

Hearing:

Date: October 1, 2008

Time: 9:00 a.m.

Courtroom: 3

Honorable Phyllis J. Hamilton
Complaint Filed: 7/12/07

1 I, Lloyd B. Zola, hereby declare as follows:

2 1. I am currently a Vice President with HDR, Inc. I am over the age of
3 eighteen and a citizen of California and the United States of America. If called upon to
4 testify, I could and would competently testify as to the following.

5 2. As a professional planner, I provide consulting services and expertise in
6 resolution of complex planning and development issues; development feasibility analyses;
7 zoning, general plans and public policy formulation; public participation programs;
8 environmental research and documentation; and the coordination of environmental, project
9 design, and policy tasks. I obtained a B.A. in Urban Studies from California State
10 University, Los Angeles in 1974 and have participated in Graduate Studies in Public
11 Administration at California State University, Fullerton. A true and correct copy of my
12 resume and summary of professional qualifications is submitted concurrently as Exhibit
13 34, p. 584.

14 3. I have been engaged as an expert witness for the City of San Leandro in the
15 above entitled litigation. Exhibit 34 submitted concurrently is a true and correct copy of
16 the report I prepared entitled "Expert Opinions of Lloyd Zola: International Church of the
17 Foursquare Gospel v. City of San Leandro" setting forth my opinion and conclusions on
18 four major issues addressed in the report.

19 4. The opinions and conclusions expressed in the report are derived from my
20 personal review of relevant planning documents of the City of San Leandro, including the
21 General Plan and zoning codes; review of maps, documents, planning records, staff
22 reports, minutes and documents in City files pertaining to the adoption of the Assembly
23 Use Overlay Zoning regulations and the rejection of applications for a zoning amendment
24 and conditional use permit by the Faith Fellowship Church, an affiliate of the International
25 Church of the Foursquare Gospel; consultation with representatives of the City Attorney's
26 office and City planning personal; personal site visits to the proposed church site at 14600
27 and 14860 Catalina Street and all properties subject to the Assembly Use Overlay zoning
28 designation in the City; and my 33 years of background experience and knowledge of

1 common planning and zoning practices in California and in the United States, and related
2 requirements of California planning and zoning law.

3 5. The factual conclusions expressed in the report are true based on the
4 information I have reviewed. As to those matters stated as matters of professional opinion
5 or belief, I believe them to be true.

6 I declare under penalty of perjury under the laws of the State of California that the
7 foregoing is true and correct and is of my own personal knowledge, that if called to testify
8 I could and would competently testify to the same, and that this declaration was executed
9 this 25th day of August 2008, at San Diego, California.

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13 LLOYD B. ZOLA

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